MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
OPERATING PERMIT TECHNICAL REVIEW DOCUMENT

Permitting and Compliance Division
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Bear Paw Energy Inc.
Baker Gas Plant
P.O. Box 580
Baker, MT 59313

The following table summarizes the air quality programs testing, monitoring, and reporting requirements applicable to this facility.

Facility Compliance Requirements	Yes	No	Comments
Source Tests & Portable Analyzer Required	X		Various Schedules
Ambient Monitoring Required		X	
COMS Required		X	
CEMS Required		X	
Schedule of Compliance Required		X	
Annual Compliance Certification and Semiannual Reporting Required	X		Annual and Semiannual
Monthly Reporting Required		X	
Quarterly Reporting Required		X	
Applicable Air Quality Programs			
ARM Subchapter 7 Preconstruction Permitting	X		Permit #2736-06
New Source Performance Standards (NSPS)	X		40 CFR 60.647(c), Subpart LLL, recordkeeping and reporting requirements
National Emission Standards for Hazardous Air Pollutants (NESHAPS)		X	Except for 40 CFR 61, Subpart M
Maximum Achievable Control Technology (MACT)		X	
Major New Source Review (NSR)		X	
Prevention of Significant Deterioration (PSD)		X	
Risk Management Plan Required (RMP)		X	
Acid Rain Title IV		X	
State Implementation Plan (SIP)	X		General SIP

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SECTION I. GENERAL INFORMATION

A. Purpose

This document establishes the basis for the decisions made regarding the applicable requirements, monitoring plan, and compliance status of emission units affected by the operating permit proposed for this facility. The document is intended for reference during review of the proposed permit by the EPA and the public. It is also intended to provide background information not included in the operating permit and to document issues that may become important during modifications or renewals of the permit. Conclusions in this document are based on information provided in Permit Application #OP2736-01, Montana air quality Permit Application #2736-06 submitted by Bear Paw Energy Inc. (Bear Paw) on September 4, 2001, and the information provided in Bear Paw's most recent request to modify both Montana Air Quality Permit #2736-06 and Operating Permit #OP2736-01, submitted on May 21, 2002. In addition, the conclusions in this document are also based on information submitted December 15, 1998, (the original operating permit application); September 13, 2001; September 17, 2001; September 26, 2001; September 28, 2001; October 12, 2001; October 15, 2001; and July 14, 2002.

B. Facility Description

Bear Paw operates a natural gas processing plant and associated equipment located approximately one mile northeast of Baker, MT on county road 80. The legal description of the facility is the SW¼ of the SW¼ of Section 6, Township 7 North, Range 60 East, in Fallon County, Montana. The facility is known as the Baker Gas Plant.

Natural gas processing plants remove certain compounds from natural gas that are of considerable value by themselves and other contaminants that render the gas unsuitable for sale purposes. The predominant constituent of natural gas is methane and ethane, with smaller amounts of other hydrocarbons.

C. Facility Background Information

The plant occupies a 20-acre rectangular site measuring approximately 900 feet by 950 feet. Local terrain is predominantly flat with a slight down slope from north to south. The surrounding vicinity is also predominantly flat. The prevailing winds are from the west. There are no schools, hospitals, residential areas, or parks located within a ½ mile radius of the plant.

This facility was originally permitted to Western Gas Resources (WGR). In May 1992, WGR applied for a permit to operate their existing natural gas processing plant and associated equipment and to construct a Challenger flare to be used for emergency situations to increase safety.

On June 28, 1993, WGR Permit **#2736-00** was final. The flare was constructed and placed in operation in October 1993. Also, as a requirement of the permit, WGR was required to install Non-Selective Catalytic Reduction (NSCR) units on the 2 compressor engines for control of NO_x, CO, and VOC emissions. The 800-horsepower (hp) White Superior 8G-825 Compressor Engine was permitted, as it existed at the time, with 2 exhaust stacks. In October 1993, the White Superior 8G-825 exhaust stacks were retrofitted into one stack; therefore, only one NSCR unit was required for that source. The NSCR units were then installed in November 1993 and the engines were tested in January 1994.

On February 8, 1995, Permit **#2736-01** became final. The permitting action reflected a modification to remove all references to the second stack on the White Superior 8G-825, change the emission limits to reflect mass emission limits in pounds/hour rather than grams/hp-hr, and change the derated horsepower to the rated horsepower. WGR also requested the permit testing language be changed to reflect the updated Montana Source Test Protocol and Procedures Manual. Permit #2736-01 replaced Permit #2736-00.

On December 10, 1993, a lottery was held and WGR's Baker Gas Plant (Permit #2736-01) was selected to submit their Title V operating permit application in the first year. WGR requested that the Baker Gas Plant be removed from the Title V permit list since Permit #2736-01 indicated the total criteria pollutants were less than 100 tons per year.

On August 25, 1996, Permit **#2736-02** became final. Before the Department of Environmental Quality (Department) made a final determination on whether a Title V permit was necessary for this facility, a complete emission inventory of HAPs emissions was developed and submitted to the Department for review. A complete emission inventory of fugitive VOCs was also required since a number of fugitive VOC sources were not identified during the initial permitting action. WGR submitted a permit alteration for all sources of VOCs and HAPs not previously identified in Permit #2736-01. This permit alteration was for the following VOC emission units:

- Fugitive VOC leaks from components in VOC service;
- 4.0 MMscfd ethylene glycol dehydration unit;
- Bottom loading, vapor balance, product loading facility; and
- 3 fixed-roof condensate storage tanks.

Permit #2736-02 replaced Permit #2736-01.

On June 27, 1997, Permit **#2736-03** became final. The permitting action included: a change of ownership from WGR to Bear Paw; a proposed increase in production from 1.4 MMScf per day to 4.2 MMScf per day; a proposal to add an amine sweetening unit and a new Guyed flare to control emissions from the proposed production increase. The proposed amine unit supplemented the previously permitted iron sponge. The alteration also increased SO_2 by 116 tons per year, which resulted from the production increase at the facility. Emissions are controlled by an amine sweetening unit and a new flare. The proposed increase in emissions was below Prevention of Significant Deterioration (PSD) threshold levels and did not trigger PSD. However, the Baker Gas Plant became a Title V source because of the increase in emissions. Permit #2736-03 replaced Permit #2736-02.

The Department received a request from Bear Paw on September 22, 1997, to modify Permit #2736-03. Bear Paw was previously required to route the pressurized tanks to a flare. During the 1997 inspection conducted by the Department, it was discovered that the pressurized tanks were not routed to the flare as required by Permit #2736-03. However, upon further investigation, the Department determined that it does not make sense to have these pressurized tanks routed to the flare because they only vent in emergency situations. Furthermore, the routing could cause venting, which means a direct product loss to the company. Permit #2736-03 was modified by removing the routing language. There was no change in the potential emissions because the emissions inventory did not calculate the tank emissions as being controlled by the flare. Permit **#2736-04** replaced Permit #2736-03.

On September 23, 1998, the Department received a complete application requesting an alteration to Permit #2736-04. Bear Paw requested to add a single 1250-hp Waukesha Compressor Engine or a series of Waukesha Compressor Engines equivalent to 1250-hp. Because the emissions would be the same if there is one or a series of engines, the Department approved this alteration to allow Bear Paw operational flexibility. Permit **#2736-05** replaced Permit #2736-04.

On December 15, 1998, the Department received an operating permit application for the Baker Gas Plant. The application was assigned #OP2736. The permit application was deemed administratively complete on January 3, 1999, and the application was deemed technically complete on February 3, 1999. Permit #OP2736-00 became final and effective on July 14, 1999.

On September 4, 2001, the Department received a permit application from Compliance Partners, Inc., on behalf of Bear Paw, requesting a Montana air quality permit modification to Permit #2736-05 and an operating permit modification to Permit #OP2736-00. The application requested to increase the facility's throughput from 4.2 MMScf per day to 8.5 MMScf per day. The application was deemed complete upon submittal of additional information on October 12, 2001. The proposed alteration increased SO_2 emissions from 117.1 tons/year to 235.3 tons/year. The proposed 118.2 tons/year emission increase was below New Source Review (NSR) threshold levels and does not trigger Prevention of Significant Deterioration (PSD). This permit action increased the facility's throughput from 4.2 MMScf per day to 8.5 MMScf per day. Permit **#OP2736-01** replaced Permit #OP2736-00.

D. Current Permit Action

On May 21, 2002 the Department received a request to modify Permit #2736-06 and Permit #OP2736-01. The request was to switch the responsibilities of the 2 flares at the facility. The Department requested that Bear Paw submit a gas analysis for the facility because the calculations submitted for Department review used an H_2S concentration lower than the concentration in the emission inventory of Permit #2736-06. On July 14, 2002, Bear Paw submitted a gas analysis for the facility demonstrating that the concentration of H_2S in the gas stream is 600 parts per million (ppm). The current permit action does not increase emissions from the facility. In fact, the gas analysis submitted to the Department demonstrates that SO_2 emissions from the facility will decrease. Permit **#OP2736-02** replaces Permit #OP2736-01.

E. Taking and Damaging Analysis

HB 311, the Montana Private Property Assessment Act, requires analysis of every proposed state agency administrative rule, policy, permit condition or permit denial, pertaining to an environmental matter, to determine whether the state action constitutes a taking or damaging of private real property that requires compensation under the Montana or U.S. Constitution. As part of issuing an operating permit, the Department is required to complete a Taking and Damaging Checklist. As required by 2-10-101 through 105, MCA, the Department has conducted a private property taking and damaging assessment and has determined there are no taking or damaging implications. The checklist was completed on November 14, 2002, for Permit #OP2736-02.

F. Compliance Designation

The Baker Gas Plant was last inspected on June 25, 2002. During the inspection, the Baker Gas Plant was in compliance with applicable permit requirements contained in Permit #OP2736-01 and Permit #2736-06. At the time of this permit issuance, the Department believes this facility is in compliance with all applicable regulations and permit conditions.

SECTION II. SUMMARY OF EMISSION UNITS

A. Facility Process Description

The Baker Gas Plant receives natural gas from the Baker North Compressor Station and the south system inlet from the South Shell Field and the East Look Out Butte (Burlington) Field. Initial compression of the gas is accomplished with a 448-hp Waukesha compressor engine and a 800-

hp Superior compressor engine. Both natural gas-fired engines are equipped with air to fuel ratio (AFR) controllers and catalytic converters. An additional 1250-hp of compression will be available upon construction completion of natural gas-fired engine(s) for boosting and/or refrigeration. This engine(s) will also be equipped with an AFR controller(s) and catalytic converter(s).

The compressed natural gas is then dehydrated through the glycol treating system to reduce the moisture content and to meet sales gas specifications for water dew point. The sweetened gas stream, which is relatively saturated with water vapor, is passed through a liquid desiccant, ethylene glycol (EG), prior to flowing to the sales line. The glycol dehydration unit is used to remove water from produced natural gas streams to prevent hydrate formation and corrosion in pipelines. EG is used because of its high affinity for water and low cost. The moisture-rich EG leaving the absorption dehydration contact tower is cycled through the regenerator. The heat produced by the glycol reboiler boils off the absorbed moisture in the EG, which is vented from the stripper column as water vapor.

EG also has a high affinity for aromatic compounds. In the absorption step of the dehydration process, EG removes, in addition to water, some benzene, toluene, ethyl benzene, and xylene (BTEX), and VOCs from the natural gas. The absorbed VOCs and BTEX are then separated from the glycol in the regenerator. The dehydrator regenerator off gases are routed to the Anderson Hot Oil Heater for thermal destruction, except when the heater is not operating. The flash separator off gases are routed to the inlet condensate knockout drum.

Any H_2S present in the incoming gas stream is removed by the amine sweetening unit. Approximately 8.5 MMScf per day of sweet gas flows from the amine sweetening contactor to the existing propane refrigeration areas. The rich amine, which absorbed the gas components (H_2S and CO_2), flows to the flash separator from the bottom of the suction. The rich amine flows to a preheater before going on to the regenerator. The regenerator uses a direct-fired reboiler to heat the rich amine solution burning off the absorbed acid gases. Acid gas leaving the regenerator overhead in burned continuously in the Challenger Flare. The additional Guyed Utility Flare is only used for emergency upset conditions. The Challenger Flare is continuously piloted with pipeline quality natural gas and is equipped with an autoignitor, while the Guyed Utility Flare is equipped with an electric spark igniter.

Lean amine, now stripped of acid gas, flows back through the lean/rich exchanger. This provides preheat to the rich amine going to the regenerator. The lean amine is further cooled in an aerial cooler, then pumped back to the contactor.

The plant also serves as a fractionation plant. After being dehydrated and desulfurized, natural gas is brought into the plant and broken down into its components. The individual components are butane, propane, gasoline, and salable natural gas.

The VOC product loading at the Baker Gas Plant is operated under a vapor balance system. All VOC product loading to tank trucks is conducted using bottom loading. Vapor flash resulting from loadout operations is returned to the associated storage vessel to maintain vapor balanced emissions control. Upon completion of VOC product loadout, all lines used for loading are purged of VOC vapors. These VOC vapors are then routed to a flare for thermal destruction.

B. Emission Units and Pollution Control Device Identification

Emissions Unit ID	Description	Pollution Control Device/Practice
EU01	448-hp Waukesha Compressor Engine	AFR controller and a NSCR unit
EU02	800-hp White Superior Compressor Engine	AFR controller and a NSCR unit
EU04	Challenger Flare	None
EU05	Fugitive Emissions	None
EU06	Ethylene Glycol Regenerator Vent	None
EU07	Product Loading	None
EU08	Condensate/Natural gas storage tank	Fixed roof, vapor balance system, submerge filled and pressure/vacuum vent
EU09	Guyed Utility Acid Gas Flare	None
EU11	Compressor Engine(s), 1250-hp	Catalytic converter for each engine
EU12	Amine Regenerator, 4.2 MMSCF/d	Flare
EU13	Y-grade horizontal storage tank	Pressurized tank, vapor balance system, submerge filled and pressure/vacuum vent
EU14	Y-grade horizontal storage tank	Pressurized tank, vapor balance system, submerge filled and pressure/vacuum vent
EU15	Propane horizontal storage tank	Pressurized tank, vapor balance system, submerge filled and pressure/vacuum vent
EU16	Propane horizontal storage tank	Pressurized tank, vapor balance system, submerge filled and pressure/vacuum vent
EU17	Butane horizontal storage tank	Pressurized tank, vapor balance system, submerge filled and pressure/vacuum vent
EU18	Butane horizontal storage tank	Pressurized tank, vapor balance system, submerge filled and pressure/vacuum vent
EU19	Natural gasoline storage tank	Fixed roof, vapor balance system, submerge filled and pressure/vacuum vent
EU20	Natural gasoline storage tank	Fixed roof, vapor balance system, submerge filled and pressure/vacuum vent
EU23	Methanol storage tank	Fixed roof, vapor balance system, submerge filled and pressure/vacuum vent

C. Categorically Insignificant Sources/Activities

Emissions Unit ID	Description
IEU1	Anderson-Baird Hot Oil Heater, 6.5 MMBtu/hr
IEU2	Amine Regenerator Heater, 2.3 MMBtu/hr
IEU3	Methyl Mercaptan Storage Tank, 67 gal

SECTION III. PERMIT CONDITIONS

A. Emission Limits and Standards

The combined emissions from all compressor engine(s) comprising the 1250-hp, shall not exceed the following: NO_x - 5.51 lb/hr, CO - 5.51 lb/hr, VOC - 2.76 lb/hr.

The 448-hp Waukesha compressor engine shall not exceed the following: NO_x -1.98 lb/hr, CO - 2.96 lb/hr, VOC - 1.00 lb/hr.

The 800-hp White Superior compressor engine shall not exceed the following: NO_x - 3.53 lb/hr, CO - 5.29 lb/hr, VOC - 1.76 lb/hr.

All compressor engines will be operated with an AFR controller and a NSCR unit.

Bear Paw shall route the dehydrator regenerator off gases to the Anderson Hot Oil heater for thermal destruction.

The VOC product loading and receiving at the Baker Plant shall be operated under a vapor balance system. All VOC product loading to tank trucks shall be conducted using bottom loading. Vapor flash resulting from loadout operations shall be returned to the associated storage vessel to maintain vapor balanced emissions control. Upon completion of VOC product loadout, all lines used for loading shall be purged of VOC vapors. These VOC vapors shall be routed to a flare for thermal destruction.

Bear Paw shall use fixed roof tanks for storage of natural gasolines and pressurized tanks for storage of re-run, propane and butane. The fixed roof tanks shall be vapor balanced, submerge filled and equipped with a pressure/vacuum vent. The pressurized tanks shall be vapor balanced, submerge filled, and equipped with a pressure/vacuum vent.

Each flare has an opacity limit of 10% and a particulate limit of 0.10 gr/dscf corrected to 12% CO_2. Bear Paw shall install and continuously operate a thermocouple and an associated recorder or any equivalent device to detect the presence of a flame on each flare.

The Baker Gas Plant has maximum production rate limit of 3,102.5 MMScf during any rolling 12-month period.

All stack emission from the amine regenerator shall be routed to the Challenger flare. The reporting, recordkeeping and notification requirements contained in 40 CFR 60, Subpart LLL are applicable to the amine unit. However, Because Bear Paw has demonstrated having a design capacity less than 2 long tons per day of hydrogen sulfide in the acid gas (expressed as sulfur), only 40 CFR 60.647(c) is applicable to the facility.

B. Monitoring Requirements

ARM 17.8.1212(1) requires that all monitoring and analysis procedures or test methods required under applicable requirements are contained in operating permits. In addition, when the applicable requirement does not require periodic testing or monitoring, periodic monitoring must be prescribed that is sufficient to yield reliable data from the relevant time period that is representative of the source's compliance with the permit.

The requirement for testing, monitoring, record keeping, reporting, and compliance certification sufficient to assure compliance does not require the permit to impose the same level of rigor for all emission units. Furthermore, it does not require extensive testing or monitoring to assure compliance with the applicable requirements for emission units that do not have significant potential to violate emission limitations or other requirements under normal operating conditions. When compliance with the underlying applicable requirement for an insignificant emissions unit is not threatened by lack of regular monitoring and when periodic testing or monitoring is not otherwise required by the applicable requirement, the status quo **(i.e., no monitoring**) will meet the requirements of ARM 17.8.1212(1). Therefore, the permit does not include monitoring for insignificant emissions units.

This permit includes periodic monitoring or recordkeeping for each applicable requirement. The information obtained from the monitoring and recordkeeping will be used by the permittee to periodically certify compliance with the emission limits and standards. However, the Department may request additional testing to determine compliance with the emission limits and standards.

Overall, Permit #OP2736-02 requires monitoring of emission units by way of inspections and maintenance on both uncontrolled emitting units and existing control equipment. Log entries indicating performance of any required inspections or maintenance will demonstrate compliance with the monitoring requirement.

C. Test Methods and Procedures

The operating permit may not require testing for all sources if routine monitoring is used to determine compliance, but the Department has the authority to require testing if deemed necessary to determine compliance with an emission limit or standard. In addition, Bear Paw may elect to voluntarily conduct compliance testing to confirm its compliance status.

The 1250-hp compressor engine(s) shall be tested for NO_x and CO, concurrently on an every-2-year basis. The 448-hp Waukesha and the 800-hp White Superior shall be tested for NO_x and CO, concurrently on an every-4-year basis. A Method 9 opacity test shall be performed on the flares on an every-2-year basis. The portable analyzer testing for the compressor engines supersedes the source testing.

D. Recordkeeping Requirements

Bear Paw is required to keep all records listed in the operating permit as a permanent business record for at least five years following the date of the generation of the record. The information required in 40 CFR 60.647(c) is required to be kept on file for the life of the facility.

E. Reporting Requirements

Reporting requirements are included in the permit for each emissions unit and Section V of the operating permit "General Conditions" explains the reporting requirements. However, Bear Paw is required to submit semi-annual and annual monitoring reports to the Department and to annually certify compliance with the applicable requirements contained in the permit. The reports must include a list of all emission limit and monitoring deviations, the reason for any deviation, and the corrective action taken as a result of any deviation.

F. Public Notice

In accordance with ARM 17.8.1232, a public notice was published in *The Fallon County Times* newspaper on or before December 6, 2002. The Department provided a public comment period on the draft operating permit from December 6, 2002, to January 6, 2003. ARM 17.8.1232 requires the Department to keep a record of both comments and issues raised during the public participation process. The Department did not receive any comments on the draft operating permit (#OP2736-02) during the public comment period. In addition, the Department did not receive any comments from the company or the EPA on the proposed operating permit (#OP2736-02).

SECTION IV. NON-APPLICABLE REQUIREMENTS ANALYSIS

Section IV of the operating permit "Non-applicable Requirements" contains the requirements that the Department determined were non-applicable. The following table summarizes the requirements that the Department determined to be applicable including the requirements Bear Paw identified as non-applicable. The table contains the reasons that the Department did not include these requirements as non-applicable in the permit.

Applicable Requirement		Reason
Sub-Chapter 1 General Provisions		
ARM 17.8.101 ARM 17.8.102 ARM 17.8.103	Definitions Incorporation by Reference - Publication Dates and Availability of Referenced Documents Incorporation by Reference	These rules consist of either a statement of purpose, applicability statement, regulatory definitions or a statement of incorporation by reference. These types of rules do not have specific requirements associated with them.
ARM 17.8.105 ARM 17.8.106 ARM 17.8.110 ARM 17.8.111	Testing Requirements Source Testing Protocol Malfunctions Circumvention	These rules are always applicable to a major source and may contain specific requirements for compliance.
ARM 17.8.120 ARM 17.8.121 ARM 17.8.130 ARM 17.8.131 ARM 17.8.140 ARM 17.8.141 ARM 17.8.142	Variance Procedures Variance Procedures - Renewal Application Enforcement Procedures - Notice of Violation - Order to Take Corrective Action Enforcement Procedures - Appeal to Board Rehearing Procedures - Form and Filling of Petition Rehearing Procedures - Filling Requirements Rehearing Procedures -Board Review	These rules are procedural rules that have specific requirements that may become relevant to a major source during the permit span.
Sub-Chapter 2 Ambient Air Quality		
ARM 17.8.201 ARM 17.8.202	Definitions Incorporation by Reference	These rules consist of either a statement of purpose, applicability statement, regulatory definitions or a statement of incorporation by reference. These types of rules do not have specific requirements associated with them.
ARM 17.8.204 ARM 17.8.205 ARM 17.8.206 ARM 17.8.210 ARM 17.8.211 ARM 17.8.212 ARM 17.8.213 ARM 17.8.214 ARM 17.8.220	Ambient Air Monitoring Enforceability Methods and Data Ambient Air Quality Standard for Sulfur Dioxide Ambient Air Quality Standard for Nitrogen Dioxide Ambient Air Quality Standard for Carbon Monoxide Ambient Air Quality Standard for Ozone Ambient Air Quality Standard for Hydrogen Sulfide Ambient Air Quality Standard for Settled	These rules are always applicable to a major source and may contain specific requirements for compliance.

Applicable Requirement		Reason
	Particulate Matter ARM 17.8.221 Ambient Air Quality Standard for Visibility ARM 17.8.222 Ambient Air Quality Standard for Lead ARM 17.8.223 Ambient Air Quality Standard for PM-10 ARM 17.8.230 Fluoride in Forage	
Sub-Chapter 3 Emission Standards		
ARM 17.8.301 ARM 17.8.302 ARM 17.8.330	Definitions Incorporations Definitions	These rules consist of either a statement of purpose, applicability statement, regulatory definitions or a statement of incorporation by reference. These types of rules do not have specific requirements associated with them.
ARM 17.8.304 ARM 17.8.308 ARM 17.8.324	Visible Air Contaminants Particulate Matter, Airborne Hydrocarbon Emissions - Petroleum Products	This facility has this pollutant or emitting unit, therefore these rules are applicable.
ARM 17.8.309 ARM 17.8.322	Particulate Matter, Fuel Burning Equipment Sulfur oxide emissions - Sulfur in Fuel	This facility burns fuel at the facility. Therefore, this rule is applicable to the facility.
ARM 17.8.316 ARM 17.8.326	Incinerators Prohibited Materials for Wood or Coal Residential Stoves	This regulation may not be applicable to the source at this time, however, it may become applicable during the life of the permit.
ARM 17.8.325	Motor Vehicles	These rules are always applicable to a major source and may contain specific requirements for compliance.
ARM 17.8.341	Emission Standards for Hazardous Air Pollutants	This pollutant is emitted by this facility, therefore this rule is applicable.
Sub-Chapter 4 Stack Heights		
ARM 17.8.401	Definitions	This rule consists of either a statement of purpose, applicability statement, regulatory definition or a statement of incorporation by reference. These types of rules do not have specific requirements associated with them.
ARM 17.8.402 ARM 17.8.403	Requirements Exemptions	These are procedural rules that have specific requirements that may become relevant to a major source during the permit span.
Sub-Chapter 5 Air Quality Permit Application, Operation and Open Burning Fees		
ARM 17.8.501 ARM 17.8.504 ARM 17.8.505 ARM 17.8.510 ARM 17.8.511	Definitions Air Quality Permit Application Fees Air Quality Operation Fees Annual Review Air Quality Permit Application/Operation Fee Assessment Appeal Procedures	These are procedural rules that have specific requirements that may become relevant to a major source during the permit span.

Applicable Requirement	Reason
ARM 17.8.514 Air Quality Open Burning Fees ARM 17.8.515 Air Quality Open Burning Fees for Conditional, Emergency, Christmas Tree Waste, and Commercial Film Production Open Burning Permits	
Sub-Chapter 6 Open Burning	
ARM 17.8.601 Definitions ARM 17.8.602 Incorporations by Reference	
ARM 17.8.604 Prohibited Open Burning-When permit required ARM 17.8.605 Special Burning Periods ARM 17.8.606 Minor Open Burning Source Requirements ARM 17.8.611 Emergency Open Burning Permits ARM 17.8.612 Conditional Air Quality Open Burning Permits ARM 17.8.613 Christmas Tree Waste Open Burning Permits ARM 17.8.614 Commercial Film Production Open Burning Permits ARM 17.8.615 Firefighter Training	The following regulations may not be applicable to the source at this time, however, these regulations may become applicable during the life of the permit.
Sub-Chapter 7 Permit, Construction and Operation of Air Contaminant Sources	
ARM 17.8.701 Permit, construction and operation of air contaminant sources ARM 17.8.702 Incorporations by Reference	This rule consists of either a statement of purpose, applicability statement, regulatory definition or a statement of incorporation by reference. These types of rules do not have specific requirements associated with them.
ARM 17.8.704 General Procedures for Air Quality Preconstruction Permitting ARM 17.8.707 Waivers ARM 17.8.730 Denial of Permit ARM 17.8.731 Duration of Permit ARM 17.8.732 Revocation of Permit	Although these rules contain requirements for the regulatory authorities, these rules can be used as authority to impose specific requirements on a major source.
ARM 17.8.705 When Permit Required - Exclusions ARM 17.8.708 Notification of Emissions Increase ARM 17.8.733 Modification of Permit ARM 17.8.734 Transfer of Permit	These rules are procedural that have specific requirements that may become relevant to a major source during the permit span.
ARM 17.8.716 Inspection of Permit ARM 17.8.717 Compliance with Other Statutes and Rules	These rules are always applicable to a major source and may contain specific requirements for compliance.
Sub-Chapter 8 Prevention of Significant Deterioration	
ARM 17.8.801 Definitions ARM 17.8.802 Incorporations by Reference ARM 17.8.804 Ambient Air Increments ARM 17.8.805 Ambient Air Ceilings ARM 17.8.806 Restrictions on Area Classifications ARM 17.8.807 Exclusions from Increment Consumption ARM 17.8.808 Redesignation	The following regulations may not be applicable to the source at this time, however, these regulations may become applicable during the life of the permit.
ARM 17.8.825 Sources Impacting Federal Class I Areas -- Additional Requirements	These rules do not have specific requirements for major sources because they are requirements for

Applicable Requirement	Reason
ARM 17.8.826 Public Participation ARM 17.8.828 Innovative Control Technology	EPA or state and local authorities. Furthermore, these rules can be used as authority to impose specific requirements on a major source.
Sub-Chapter 9 Permit Requirements for Major Stationary Sources or Major Modifications Located Within Nonattainment Areas	
ARM 17.8.901 Definitions ARM 17.8.902 Incorporation by Reference	These rules consist of either a statement of purpose, applicability statement, regulatory definitions or a statement of incorporation by reference. These types of rules do not have specific requirements associated with them.
ARM 17.8.904 When Air Quality Preconstruction Permit Required ARM 17.8.905 Additional Conditions of Air Quality Preconstruction Permit ARM 17.8.906 Baseline for Determining Credit for Emissions and Air Quality Offsets	These regulations are state regulations, which may not be applicable to the source at this time, however, these regulations may become applicable during the life of the permit.
Sub-Chapter 10 Preconstruction Permit Requirements for Major Stationary Sources or Major Modifications Located Within Attainment or Unclassified Areas	
ARM 17.8.1001 Definitions ARM 17.8.1002 Incorporation by Reference	These rules consist of either a statement of purpose, applicability statement, regulatory definitions or a statement of incorporation by reference. These types of rules do not have specific requirements associated with them.
ARM 17.8.1004 When Air Quality Preconstruction Permit Required ARM 17.8.1005 Additional Conditions of Air Quality Preconstruction Permit ARM 17.8.1006 Review of Specified Sources for Air Quality Impact ARM 17.8.1007 Baseline for Determining Credit for Emissions and Air Quality Offsets	These regulations may not be applicable to the source at this time, however, these regulations may become applicable during the life of the permit.
Sub-Chapter 11 Visibility Impact Assessment	
ARM 17.8.1101 Definitions ARM 17.8.1102 Incorporations by Reference ARM 17.8.1103 Applicability --Visibility Requirements	These rules consist of either a statement of purpose, applicability statement, regulatory definitions or a statement of incorporation by reference. These types of rules do not have specific requirements associated with them.
ARM 17.8.1108 Notification of Permit Application ARM 17.8.1109 Adverse Impact and Federal Land Management	These rules do not have specific requirements for major sources because they are requirements for EPA or state and local authorities. Furthermore, these rules can be used as authority to impose specific requirements on a major source.
Federal Requirements	
40 CFR 50 National Primary and Secondary Ambient Air	These rules do not have specific requirements for

Applicable Requirement		Reason
	Quality Standards	major sources because they are requirements for EPA or state and local authorities. Furthermore, these rules can be used as authority to impose specific requirements on a major source
40 CFR 51	Requirements for Preparation, Adoption, and Submittal of Implementation Plans	
40 CFR 58	Ambient Air Quality Surveillance	
40 CFR 52	Approval and Promulgation of Implementation Plans	These rules contain requirements for regulatory authorities and not major sources, these rules can be used to impose specific requirements on a major source.
40 CFR 62	Approval and Promulgation of State Plans for Designated Facilities and Pollutants	
40 CFR 70	State Operating Permit Program	
40 CFR 71	Federal Operating Permit Programs	
40 CFR 61	Subpart M National Emissions Standards for Hazardous Air Pollutants - Asbestos	This is a federal regulation that has specific procedural requirements that may become relevant to the major source during the permit term.
40 CFR 64		
40 CFR 65	Delayed Compliance Orders	Although these rules contain requirements for the regulatory authorities and not major sources, these rules can be used as authority to impose specific requirements on a major source.
40 CFR 66	Assessment and Collection of Noncompliance Penalties by EPA	
40 CFR 67	EPA Approval of State Noncompliance Penalty Program	
40 CFR 81	Designation of Areas for Air Quality Planning Purposes	
40 CFR 82, Subpart F Recycling and Emission Reduction		
40 CFR 85	Control of Air Pollution from Motor Vehicle and Motor Vehicle Engine	These rules may be applicable to this source over the span of the permit term.
40 CFR 86	Control of Air Pollution from New and In-use Motor Vehicle Engines	
40 CFR 88	Clean-fuel Vehicles	

SECTION V. FUTURE PERMIT CONSIDERATIONS

A. NESHAP/MACT Standards

National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities (40 CFR Part 63 Subpart HH) and National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities (40 CFR Part 63 Subpart HHH) was promulgated June 17, 1999. As of the date of permit issuance, neither Subpart HH nor Subpart HHH is applicable to the facility because the facility does not meet the definition of a major source as defined in each Subpart.

B. NSPS Standards

As of November 6, 2002, the only unit at the facility that is currently considered an affected facility is the amine unit. The amine unit is subject to the requirements of 40 CFR Part 60, Subpart LLL. However, because Bear Paw has demonstrated that the design capacity of the facility is less than 2 long tons/day of hydrogen sulfide in the acid gas (expressed as sulfur), only 40 CFR 60.647(c) is applicable to the facility.

C. Risk Management Plan

If a facility has more than a threshold quantity of a regulated substance in a process, the facility

must comply with 40 CFR 68 requirements no later than June 21, 1999; three years after the date on which a regulated substance is first listed under 40 CFR 68.130; or the date on which a regulated substance is first present in more than a threshold quantity in a process, whichever is later.

As of January 6, 1999, this facility exceeded the minimum threshold quantities for regulated substance(s) listed in 40 CFR 68.115. Consequently, this facility was required to submit a Risk Management Plan no later than June 21, 1999. A copy of the risk management plan is available from the EPA upon request.